

Application No. 09/706,101
Filed: November 3, 2000
TC Art Unit: 3626
Confirmation No.: 5846

REMARKS

In response to an Office Action mailed on December 2, 2005, Applicant respectfully requests that the above-listed Amendments be entered and the Application be reconsidered. With entry of the above-listed Amendments, claims 1-3, 6, 7, 11, 15, 17, 19-23, 25, 27, 28, 33 and 34 are amended.

The Applicant appreciates the time and courtesy extended by the Examiner to the undersigned attorney during a telephonic examiner interview on January 3, 2006. Art ("Scheinuk") cited in the above-identified Office Action was discussed and distinguished from the disclosed and claimed invention.

The Examiner rejected claims 12 and 13 under 35 U.S.C. §112, second paragraph, as being indefinite, allegedly because there is insufficient antecedent basis for "the program code." Claims 12 and 13 depend from claim 11. Claim recites "the second user interface is operative to ...; and further comprising program code ..." Thus, claim 11 provides antecedent basis for "the program code" recited in claims 12 and 13. Withdrawal of the rejections is respectfully requested.

Claims 1-3, 6, 7, 11, 15, 17, 19-23, 25, 27, 28, 33 and 34 have been amended to more explicitly recite various elements and correct minor typographical or grammatical errors; however, the scope of the claims remains the same.

The Examiner rejected claims 1, 2, 6, 7, 19, 21-23 and 33 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0198745 to Scheinuk, *et al.* ("Scheinuk").

A system according to the present Application enables a third-party certificate holder/requester (i.e., a person who is not an insured party or an insurer or an insurance producer, relative to the insured party) to request a certificate of insurance. If the third-party requester is authorized, the system generates a certificate of insurance and provides the generated certificate of insurance to the third-party requester.

For example, claim 1 recites a database and a computer system coupled to the database, the computer system including computer program instructions to perform various functions, including providing two user interfaces. The first user interface is used to accept an identification of one of a plurality of insured parties, whose insurance coverage information is stored in the database. The first

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user interface also accepts information identifying a third party who is to be authorized to generate a certificate of insurance, relative to the insured party. The third party (certificate holder/requester) can then use the second user interface to request a certificate of insurance. The computer and computer program instructions determine if the third-party requester is authorized by accessing the database. If the third-party requester is authorized, the computer and computer program instructions generate the certificate of insurance.

Scheinuk discloses a system and method for completing and distributing electronic certificates of insurance. As discussed during the examiner interview, according to Scheinuk, an insured party or an insurance agent requests a certificate of insurance for a third party, i.e., for a certificate holder/requester. (Abstract; paragraphs [0035], [0037], [0041] and [0044]-[0045].) Scheinuk does not disclose a system in which a third-party certificate holder/requester can request a certificate of insurance.

Prior art systems, such as Scheinuk, and manual systems for generating certificates of insurance are much more costly to operate than the disclosed system. Studies by industry groups have indicated the insured and producer cost of issuing a certificate is about \$10.00 each. Marsh, Inc., the largest producer, conducted an internal study and concluded that its cost is about \$7.00. The cost to produce a certificate of insurance by prior art methods is primarily due to the costs associated with the various employees involved in the process. Additional costs relate to paper stock, transmittal (mail, express mail, fax and email) and system development and maintenance.

A "self-service" certificate generation system, as disclosed and claimed in the present application, significantly cuts the cost to generate a certificate of insurance to about \$0.40. Given the large number of certificates generated per year, the total cost savings can be significant.

For example, a large clothing retailer (Insured) has 6,000 stores (all numbers are rounded) in the U.S. and Canada. Before using the disclosed system, its landlords and/or lenders (Certificate Holders) would ask the Insured for certificates whenever the Insured entered a new location or a new landlord took over an existing location. The Insured would then ask the Producer to create the certificate. The Producer had 9,000 Certificate Holder records in its system for this Insured.

After beginning to use the disclosed system, the Producer provided the Certificate Holders' names and addresses to the Insured, and the Insured sent a letter to each of the 9,000 Certificate

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Holders with instructions to access the system and obtain their own certificates. Four thousand Certificate Holders obtained their own certificates, and only a dozen of these had unique requirements that required involvement of the Insured and Producer. It is assumed that missing 2,000 Certificate Holders elected to no longer receive certificates. Certificate Holders for new locations or new landlords are similarly advised to obtain their certificates directly from the system. Except for uncommon unique requirements, the Producer is no longer involved in the certificate creation process, and the volume of annual certificates has been reduced from 9,000 to 4,000.

No art of record, either alone or in combination, discloses or suggests a system for generating a certificate of insurance, relative to an insured party, to a third-party requester who is not the insured party or an insurer or an insurance producer, relative to the insured party, as recited in claim 1, or a method for issuing a certificate of insurance, as recited in claim 6. For at least this reason, claims 1 and 6 are believed to be allowable.

Claims 2, 7, 19, 21-23 and 33 depend directly or indirectly from claim 1 or claim 6. These claims are believed to be allowable, for at least the reasons given above, with respect to claims 1 and 6.

The Examiner rejected claims 3, 5, 8, 10, 24-26 and 34 under 35 U.S.C. §103(a) as being obvious over Scheinuk in view of U.S. Pat. No. 4,831,526 to Luchs, *et al.* ("Luchs"). Luchs discloses a computerized insurance premium quotation and policy issuance system. (Abstract.) Luchs system does not generate certificates of insurance. Although Luchs' system includes a database, the database is used to store client information, such as risks, premium information and predetermined text that can be incorporated into insurance contracts. (Col. 2, lines 57-68.) Luchs' database is not used to generate certificates of insurance. The Applicant respectfully traverses these rejections.

The Examiner rejected claims 11-18 and 27-28 under 35 U.S.C. §103(a) as being obvious over Scheinuk in view of U.S. Pat. No. 6,694,315 to Grow ("Grow"). Grow discloses an online document assembly and docketing system. However, Grow does not disclose a system for generating certificates of insurance. The Applicant respectfully traverses these rejections.

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The Examiner rejected claim 20 under 35 U.S.C. §103(a) as being obvious over Scheinuk in view of U.S. Pat. No. 6,272,482 to McKee, *et al.* ("McKee"). McKee discloses a method of managing a set of rules used by a computer program by defining jurisdictions.

As discussed above with respect to claims 1 and 6, neither Scheinuk, Luchs, Grow nor McKee disclose or suggest any mechanism for a third party to request a certificate of insurance from a system.

No art of record, either alone or in combination, discloses or suggests a system for generating a certificate of insurance, as recited in claim 1, or a method for issuing a certificate of insurance, as recited in claim 6. For at least this reason, claims 1 and 6 are believed to be allowable.

Claims 2, 3, 5, 7, 8, 10-28, 33 and 34 depend directly or indirectly from claim 1 or 6. These claims are, therefore, believed to be allowable, for at least the reasons discussed above with respect to claims 1 and 6.

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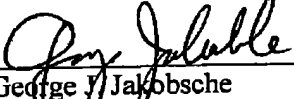
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For all the foregoing reasons, it is respectfully submitted that the present Application is in a condition for allowance, and such action is earnestly solicited. The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present Application.

Respectfully submitted,

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